AUDITOR GENERAL
Alberta

Report of the Auditor General of Alberta

JULY 2016

HUMAN SERVICES—SYSTEMS TO DELIVER CHILD AND FAMILY SERVICES TO INDIGENOUS CHILDREN IN ALBERTA

AUDITOR GENERAL
Alberta

Mr. David Shepherd, MLA
Chair
Standing Committee on Legislative Offices

I am pleased to submit my *Report of the Auditor General of Alberta—July 2016* on the systems the Department of Human Services has to deliver child and family services to Indigenous children in Alberta. This report is being sent to Members of the Legislative Assembly of Alberta as required by Section 20(1) of the *Auditor General Act*.

[Original signed by Merwan N. Saher FCPA, FCA]
Auditor General

Edmonton, Alberta
July 8, 2016

Department of Human Services—Systems to Deliver Child and Family Services to Indigenous Children in Alberta

GUIDANCE TO READER

Prevention and Early Intervention Programs—Families can access early supports through several programs. These programs are designed to increase the health and well-being of children and families, and reduce the impact of risk factors. They range from non-targeted programs that are accessible without screening requirements to more targeted interventions that include screening requirements.

Funding—Funding for child and family services comes from either the federal or the provincial government, depending on where the child normally resides:

- For children normally resident on First Nations reserves, funding comes principally from the federal government, although the provincial government provides some funding.
- For all other children, funding comes entirely from the provincial government.

Jordan's Principle—A child-first approach to ensure the needs of First Nations children are not lost in jurisdictional disputes over funding responsibility, Jordan's Principle states that the level of government of first contact should initially pay for services and later seek reimbursement from the appropriate level of government, if different.

SUMMARY

The Department of Human Services is responsible for providing child and family services in Alberta. It offers a range of services and programs designed to support families and communities in safeguarding and enhancing the well-being of children.

In recent years, the department has made important changes to the way it provides its services.[1] The department has led social work practice across Canada in its focus on keeping children in the family home when safe to do so and preventing them from having to enter temporary or permanent care.[2] However, there is an important problem facing the department and the system as it stands today. Indigenous children in Alberta experience less favourable results than non-Indigenous children in terms of whether:

- families are kept together
- children are returned to their families from temporary care
- permanent homes are found for children in permanent care
- children require additional services within 12 months of receiving services previously

[1] The 2008 Alberta Incidence Study reported that in 85 per cent of cases the department becomes involved because of concerns about neglect, rather than direct risk to the immediate safety of children. Front-line staff can often safely deal with neglect concerns while keeping children with their families and communities.

[2] Aboriginal Children in Care: Report to Canada's Premiers, July 2015, page 30.

We conducted our audit to examine the systems and processes the department uses to deliver child and family services to Indigenous children in Alberta. We identified three areas where the department can improve its performance, thereby increasing the chances for Indigenous children who receive services to experience improved results. We found that the department should act to:

- improve its early supports and early intervention programming
- ensure its processes support a child-centred approach
- improve staff training in the area of intercultural understanding

The department provides services to at-risk Indigenous children in Alberta. The challenges can be formidable; of all the children in care in Alberta, Indigenous children are overrepresented in the system by a factor of seven,[3] and the programs in place to assist them are complex. But as the province improves its services, more of these children will build rewarding and fulfilling lives and have the potential to play important roles in the futures of their families, their communities and the province.

The department has substantially reduced the number of children in care over the past several years. Indigenous children have benefited from the reduction of numbers in care, but not to the same degree as non-Indigenous children. As a result, the amount they are overrepresented in care continues to increase.

Supports for at-risk Indigenous children are top of mind in communities, news reports and government. Recently, the Canadian Human Rights Tribunal found that children and families on reserve were denied supports equal to their off-reserve counterparts.[4] Likewise, the Truth and Reconciliation Commission of Canada documented the destruction wrought on families by the residential school system, providing a cautionary lesson about the negative effects of past policies.[5] These are only two examples where the welfare of Indigenous children in care has been pushed into the spotlight, but they serve to underscore that jurisdictions are still not acting in the best interests of this vulnerable segment of the population.

Children receiving intervention services often face challenging social situations and have greater need for support and services in order to achieve positive results. The department provides services in the most difficult of circumstances. The added complexity of program delivery to Indigenous children and families has impeded the department in making needed changes. The problems are challenging; the answers are complex and sometimes difficult to act on. But understanding the factors underlying poor results is vital to improving the lives of Indigenous children and families in Alberta.

Improvements start with understanding the unique needs of Indigenous children and communities. From that point, relationships can develop that are based on respect and understanding, and sustainable change can occur.

---

[3] Child Intervention Information and Statistics Summary 2015–2016 Fourth Quarter (March) Update, Department of Human Services. In March 2016, 69 per cent of children and youth in care were Indigenous; one in 10 children living in Alberta were Indigenous.

[4] Canadian Human Rights Tribunal, Decision, Citation: 2016 CHRT 2, January 2016, paragraph 456, page 160.

[5] Honouring the Truth, Reconciling for the Future, Summary of the Final Report of the Truth and Reconciliation Commission of Canada, 2015, http://nctr.ca/assets/reports/Final%20Reports/Executive_Summary_English_Web.pdf.

What we examined

We conducted this audit to determine if the department has adequate systems to provide child and family services to Indigenous children and families in Alberta.

We examined the systems and processes the department uses to support child and family services for Indigenous peoples in Alberta. The audit looked at programs and services designed to provide early supports to vulnerable families as well as systems designed to keep children safe when the department needs to intervene.

Within the broad continuum of care the department provides, we examined the following systems, which we deemed to be key systems:

- Early supports and early intervention programming: We examined the department's processes to identify needs of Indigenous children and families, align resources to needs and report on the results of the services provided.
- Processes to support a child-centred approach: We focused on two processes, the department's compliance monitoring processes and its performance reporting processes.
  - We examined the department's processes to ensure each Indigenous child receiving services has a care plan that is followed. The department monitors care plans by performing file reviews to test case work against provincial standards of care.
  - We examined the department's processes to analyze its results and report on its progress in achieving its operational and department level objectives.
- Staff training in the area of intercultural understanding: We examined the department's processes to ensure its staff receive adequate training on First Nations, Métis and Inuit history and cultural practices.

As we did not examine every system, our overall conclusion relates only to the processes we examined. We interviewed staff from the department's head office, field operations, regional offices and Delegated First Nations Agencies, reviewed documentation, tested file monitoring activities, and performed detailed analysis of data, focusing on the period of April 1, 2012 to March 31, 2015.

Overall conclusion

The department has systems to provide child and family services to Indigenous children and families in Alberta. We believe this report demonstrates these systems need to be improved. We acknowledge the hard work being done throughout the system. Too often jurisdictional and other limitations have resulted in weak processes to meet the needs of Indigenous children. Put simply, Indigenous children in care experience less favourable results than non-Indigenous children.

What we found

We have grouped our findings into three broad areas, according to the three key systems we looked at: the department's early supports for Indigenous children, its systems to provide child-centred support and its intercultural understanding.

Early supports for Indigenous children

Prevention and early intervention are key to reducing the number of children who require long-term care. We found that the department does not have clear, coordinated processes for providing early support services to Indigenous children and families.

Effectively delivering early supports to Indigenous children requires recognizing the unique needs of Indigenous communities. A blanket strategy for all children will fail to close the gap between Indigenous and non-Indigenous children's experiences of support. While the department gathers information on these needs from a variety of sources, it does not have processes to compile or analyze the data. It is therefore unable to align its funding with Indigenous needs.

Early intervention for children living on First Nations reserves is a special case, since funding on reserves is a federal responsibility. Responsibility aside, the Government of Alberta has not assessed what role it itself should play in funding early intervention on reserves. The department does provide some additional funding for early intervention on reserves, amounting to $1.7 million. However, this funding is divided among 18 First Nations, and the department has not analyzed whether the amount is enough to make a material difference.

Systems to provide child-centred support

Every child supported by child and family services requires a care plan. Care plans help to make support child-centred, since caseworkers can tailor plans to the needs of individual children.

When reviewing data on care provided by regional offices, we found that Indigenous children received less-frequent contact with caseworkers than non-Indigenous children. Further, Indigenous children had their care plans reviewed less often than non-Indigenous children. The department's reporting of these standards, and of other standards, does not identify the differences between the level of care for Indigenous children and the level of care for non-Indigenous children.

To analyze its performance in delivering child and family services, the department has identified five planned results for children receiving care. For example, the department measures the proportion of children and youth in temporary care who are reunited with their family and do not move into permanent care.

When the department assesses how well it is performing under these measures, it does not consider its performance for Indigenous children separately. It therefore does not know whether the results are less favourable for Indigenous children than they are for non-Indigenous children. In fact, we found the results *are* less favourable for Indigenous children. Despite the imbalances, the department does not set targets specifically aimed at improving its planned results for Indigenous children.

Intercultural understanding

First Nations, Métis and Inuit peoples living in Alberta each have their own approaches to caring for their children. Indigenous approaches to a child's well-being are ingrained in their cultures, history and ways of being. Each people has its own unique customs and approaches, but generally children form the centre of Indigenous concepts of family and community.

The term "culturally appropriate" pervades the department's documentation related to Indigenous clients. The prevalence of the term suggests that the department recognizes the need for awareness about cultural differences. However, the department provides no guidance to staff on what the term should mean. Without such guidance, there will be inconsistency in how the concept is applied, and the department will not know whether it is serving Indigenous families according to their cultural needs.

The department's training on intercultural understanding is insufficient. The only specific Indigenous-focused training the department requires is part of its delegation training for new social workers, and there is no requirement to update or retake the training regularly.

There have been some improvements in training in recent years. Some regional offices have undertaken their own initiatives to improve their staff's intercultural understanding, and the department has begun developing an expanded training program. However, the expansion of the program is still being planned, and the department does not know when it will be completed. The slow progress in improving training in intercultural understanding is at least partly due to a lack of coordination between internal divisions within the department.

We noted several effective practices in regional offices and Delegated First Nations Agencies to build cultural understanding and respect by integrating workers within an Indigenous context. The department has an opportunity to share best practices and promote improved intercultural understanding through experience-based learning.

What needs to be done

While there are complexities surrounding the delivery of child and family services to Indigenous children, we believe there is important work the department can do to make meaningful improvements. We therefore make three recommendations, one for each of our key findings above:

RECOMMENDATION 1: ENHANCE EARLY SUPPORT SERVICES

We recommend that the Department of Human Services:

- enhance its processes so that they include the needs of Indigenous children and families in the design and delivery of its early support services
- report to the public regularly on the effectiveness of early support services

RECOMMENDATION 2: ENSURE A CHILD-CENTRED APPROACH

We recommend that the Department of Human Services improve its systems to:

- ensure the care plan for each Indigenous child requiring intervention services is adhered to and meets the standards of care the department sets for all children in Alberta
- analyze the results of services to Indigenous children and report to the public regularly on its progress in achieving planned results

RECOMMENDATION 3: STRENGTHEN INTERCULTURAL UNDERSTANDING

We recommend that the Department of Human Services continue to enhance its staff training of the history and culture of Indigenous peoples, as well as its training of intercultural understanding. The department should seek the expertise of Indigenous leaders and communities when developing the training.

Engagement with other jurisdictions

As well as providing audit findings and recommendations on the three areas discussed above, we include in this report some broader observations on the delivery of child and family services to Indigenous children. Our observations focus on the relationships, often complex, between the Government of Alberta and other jurisdictions playing a role in service delivery. The complexities of these relationships affect the province's delivery of services to Indigenous families, so it is important to understand the relationships to see how they can be better aligned with service delivery.

There are three partners in the delivery of child and family services to Indigenous children and families: First Nations, Canada and Alberta. Trilateral engagement of this sort can result in challenges. For example, it is difficult to instigate change when the policies and practices of one partner are out of step with those of another.

A further challenge is in deciding who should pay for services given that a child in Alberta is, at the same time, under the jurisdiction of Canada. This particular challenge in another province led to Jordan's Principle, a child-first approach to ensure the needs of First Nations children are not lost in jurisdictional disputes over funding responsibility. Jordan's Principle states that the level of government of first contact should initially pay for services and later seek reimbursement from the appropriate level of government, if different.

Our main observations related to trilateral engagement can be summarized as follows:

- Although the shared goal is to achieve the best results for children needing care, each partner has unique roles and responsibilities, and priorities may not always align.
- Service needs are specified in one set of agreements, while funding is specified in others. These two types of agreement are not sufficiently aligned for funding to meet the requirements of service needs. Further, the complexities of updating agreements make it difficult to update funding to meet needs.
- As part of the Child and Family Services Trilateral Engagement Process, the partners have developed a five-year plan to safely reduce the number of First Nations children in care. The department will need to identify how it will integrate this work into its decisions on policy or practice.
- There is a lack of clarity on the Government of Alberta's interpretation of the scope of Jordan's Principle.

Relationships between the respective parties are defined through negotiated agreements, so we make no specific recommendation to the department regarding its relationships with First Nations and federal partners, or its participation in the Child and Family Services Trilateral Engagement Process. However, change will require improved relations with First Nations, as well as coordination among all partners. Specifically, the department will need to:

- continue to develop and promote renewed, respectful relationships with First Nations, Métis and Inuit peoples in Alberta
- develop its systems to support Indigenous leadership and their involvement in decisions that affect their children, in recognition of the right and ability of Indigenous peoples to determine what is best for their children
- prioritize its participation in the Child and Family Services Trilateral Engagement Process and implementation of the five-year action plan

As we see, some of the work necessary to improve results for Indigenous children is beyond the role of the department. However, the department still has a responsibility to work with First Nations and the federal government in carrying out this work.

Why this is important to Albertans

The continuum of care provided to the most vulnerable children and their families is vital work, and the consequences are tragic when the system fails. Long-term social costs are great. Indigenous children receiving services experience greater risk. As Alberta plans for a future of reconciliation and improved quality of life for Indigenous children, we must learn from past failures to ensure that the well-being of every Indigenous child is safeguarded and enhanced. The system must focus on the child.

AUDIT OBJECTIVES AND SCOPE

Our audit assessed whether the department has adequate systems to deliver child and family services to Indigenous children and families in Alberta.

We focused our audit on department records and activities for the period of April 1, 2012 to March 31, 2015. We also considered relevant new developments in policy and practice.

We examined department records, data and reporting. We reviewed relevant documentation at the department and interviewed staff at the department, at some of the department's regional offices and at some Delegated First Nations Agencies.

Our audit did not examine:

- **Delegated First Nations Agencies**—Delegated First Nations Agencies are bodies that are independent from the department. They provide services to First Nations children and families living on 39 of the 48 First Nations in Alberta. The agencies operate under the governance of a board and receive funding from the Government of Canada. We did not audit the operations, funding or governance of specific DFNAs.
- **Quality of care**—We did not assess the quality of care directly through detailed inspection of children's records and case files. Instead we assessed the department's systems to monitor case files to ensure they comply with standards.

We conducted our field work from August 2015 to June 2016. We substantially completed our audit on June 1, 2016. We conducted our work in accordance with the *Auditor General Act* and the standards for assurance engagements set out in the CPA Canada Handbook—Assurance.

We developed our criteria for this audit based on the entity's accountabilities and responsibilities and applicable legislation.

BACKGROUND

Continuum of care

Parents, families and communities share an interest in and responsibility for the safety and well-being of children. Parents and families sometimes experience difficulties in providing for the needs of their children. The Department of Human Services offers a range of services and programs designed to support families and communities when a child's security or development may be at risk in Alberta.

Children and families who experience difficulties are often supported effectively through the provision of prevention and early intervention services. Early interventions are typically short-term in nature and involve working with community organizations and partners to build parenting capacity, provide counselling services and help support stability in the home.

In other circumstances, where a child's safety or well-being may be at risk because of neglect or abuse, the department provides child intervention services. When the department receives a report of potential harm, it performs an assessment and, if ongoing services are required, may provide those services while the child remains at home. Alternatively, it may remove the child from the home on a temporary or permanent basis.

Together, early support services and child intervention activities and programs form a continuum of care to support vulnerable children and families (see Exhibit 1 below).

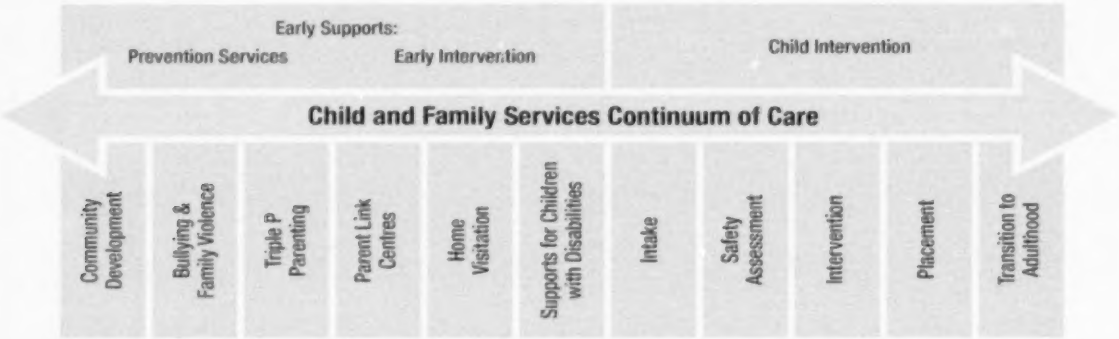


Exhibit 1—Continuum of care for children and families

Note that provision of services does not necessarily progress from left to right. Early supports include a range of optional programs available to families. Child intervention phases are based on requirements of the *Child, Youth and Family Enhancement Act*. Families receiving child intervention services may also be referred to, or continue to participate in, community-based programs such as Parent Link Centres or home visitation for additional and ongoing support.[6]

Contemporary Indigenous children and families in Alberta

Alberta is home to a large and growing Indigenous child population. Indigenous peoples include the three main groups defined in the *Constitution Act (Canada)* as Aboriginal—First Nations, Inuit and Métis—as well as a small number of other Indigenous peoples.

One in 10 children living in the province is Indigenous (see Exhibit 2).

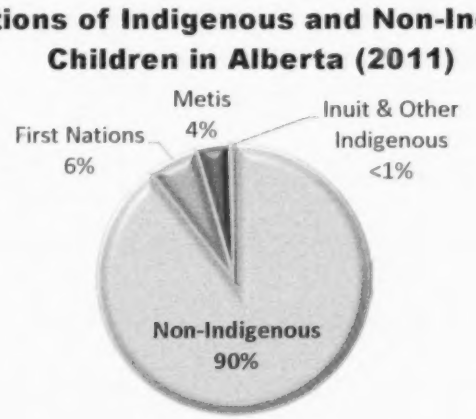

Proportions of Indigenous and Non-Indigenous Children in Alberta (2011)
Metis 4%
Inuit & Other Indigenous <1%
First Nations 6%
Non-Indigenous 90%

Exhibit 2—Alberta's child population in 2011[7]

[6] Adapted from the Prevention and Early Intervention Framework for Children, Youth and Families, April 2012, page 7.
[7] Department of Human Services citing Statistics Canada, 2011 Census.

Alberta is home to Canada's largest population of Métis peoples, and a large and growing number of Indigenous people in the province live in major urban centres. Edmonton has Canada's second largest urban Indigenous population.[8]

Three main First Nations treaty areas cross Alberta. Treaty 6, traditional lands of the Cree, covers the middle of the province. Treaty 7, traditional lands of the Blackfoot and Nakota, covers the south of the province. Treaty 8, traditional lands of the Woods Cree, Chipewyan and Dene, covers the north of the province.

Child and family services to Indigenous peoples in Alberta

The department is responsible for providing services to all children in the province. The federal government is responsible for providing funding for services for all First Nations children who normally live on reserve.

A few First Nations began administering their own child and family services in Alberta in the late 1970s through specific agreements with Canada and Alberta. Today Delegated First Nations Agencies provide child and family services to 39 of 48 First Nations communities on reserves in the province. The Department of Human Services provides services directly to eight communities through its regional offices.[9] Regional offices also provide services to Alberta's large urban Indigenous population.

Agreements allow for the delegation of responsibility to First Nations agencies for service delivery. The province has entered into agreements with 17 Delegated First Nations Agencies. DFNAs deliver child and family services to First Nations children and families who normally live on reserves.

Although legal agreements outline respective roles and responsibilities, decisions over case management and funding responsibilities become complicated very quickly because of the governance and operating structures.

The governance structure for Delegated First Nations Agencies is outlined in Exhibit 3 on the following page.

[8] Statistics Canada, Aboriginal Peoples of Canada, 2006.
[9] One remaining community is not administered by the Government of Alberta and has no DFNA.

Resource & Accountability Flows – Delegated First Nations Agencies in Alberta

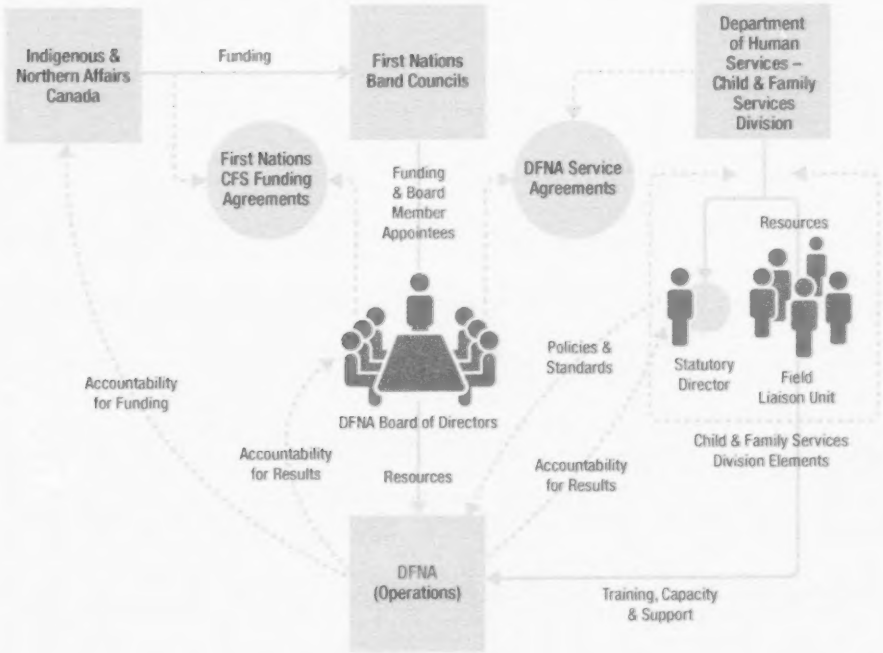


Exhibit 3—Governance structure for DFNAs

DFNAs report to a Board of Directors made up of representatives from its member First Nations. Agencies are also accountable to Canada for the funding they receive and to the province for ensuring they adhere to provincial standards for all children.

The department enters into agreements with DFNAs to deliver child and family services. Responsibility for delivering services is transferred to the First Nation agency through delegation; the agency agrees to deliver services that meet provincial standards.

Caseloads for regional offices and DFNAs

At March 31, 2016 the department reported an average monthly caseload of 9,689 children receiving child intervention services in the province. DFNAs averaged 1,523 children. The province provides services directly to the remaining children through its regional offices; more than half of these children are Indigenous.

Exhibit 4 provides a breakdown of the numbers of children receiving services from regional offices and DFNAs. First Nations children receiving services from regional offices have been identified as either being "registered" or having the "potential to be registered." In this context, "registered" means First Nations children who have status registered with Indigenous and Northern Affairs Canada, and "potential to be registered" means children who are eligible to obtain status in the future by registering.

Average Monthly Caseload – 2015/2016

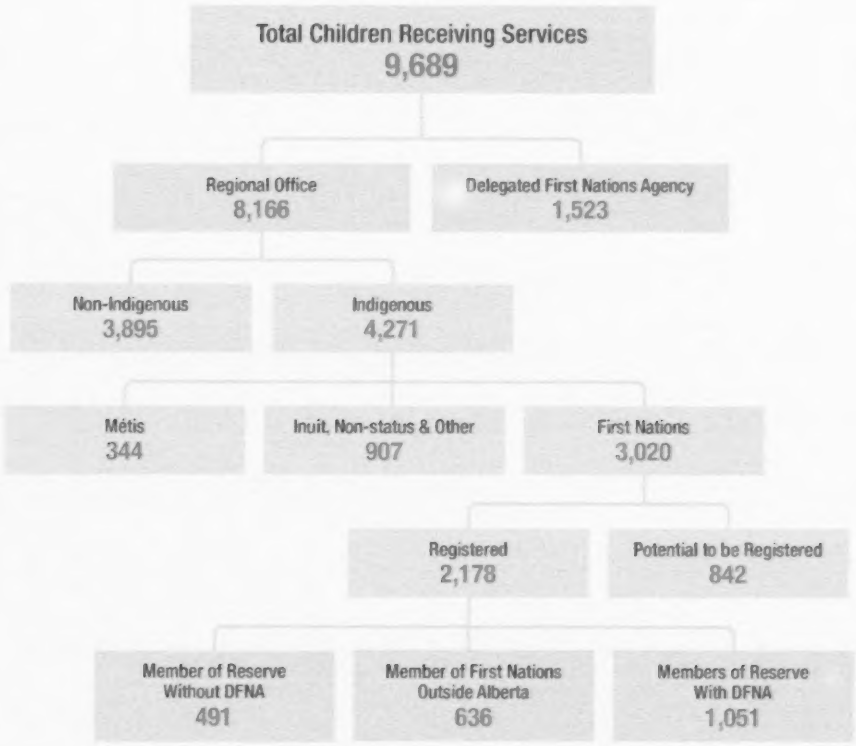


Exhibit 4—Average monthly caseload for 2015/2016[10]

FINDINGS AND RECOMMENDATIONS

Providing effective early support

BACKGROUND

Changes in practice over the past five years, such as the introduction of the Child Intervention Practice Framework and Signs of Safety, mean that more children, both Indigenous and non-Indigenous, remain in the home to receive services. However, Indigenous children are still apprehended—temporarily or permanently—much more often than non-Indigenous children.

Research indicates that a key to reducing the number of children in care is to promote the development of strong families. In describing the overrepresentation of Indigenous children in child welfare systems across the country, the July 2015 Report to Canada's Premiers states:

> *There is a body of evidence that suggests child welfare systems must evolve toward providing families with holistic, targeted, community-based programs and support systems that are culturally*

[10] The information is derived from the department's Intervention Services Information System data for the year ended March 31, 2016. A data extract from this system was provided to us by the department.

> *appropriate. The most effective prevention programs that are known to improve child welfare outcomes encompass a constellation of services that encourage family preservation.*[11]

The report continues:

> *In promoting the development of strong families, prevention services limit interactions with child protection authorities and quicken the return of apprehended children to the family home, thus reducing the numbers of children in care. It is for these reasons that prevention supports, including early intervention to families at risk, are seen as more effective than emergency intervention.*[12]

In 2012 the department developed a model that describes its early support programs and its child intervention services as a continuum of care designed to provide the full range of support required by children and their families. Early supports can help strengthen vulnerable families, reducing the risk of neglect and safety problems before intervention by the department is required. The department refers to these early support services as "prevention and early intervention programs."[13] They are often grouped into three levels of prevention:

Primary prevention—Programs and services designed to build protective factors[14] and prevent the development of risk factors. They are typically non-targeted programs and services accessible to families without screening requirements. Primary prevention includes programs such as early childhood development and parenting programs.

Secondary prevention (early intervention)—Involvement with families when vulnerabilities are first identified to strengthen protective factors, reduce the impact of risk factors and reduce the need for more intrusive interventions. Secondary prevention includes programs such as home visitation, youth mentoring and Family Support for Children with Disabilities.

Tertiary prevention (intervention or treatment)—More targeted interventions after the child has suffered maltreatment, designed to prevent its recurrence and reduce its negative effects. Tertiary prevention includes programs provided under Child Intervention Services such as in-home family support programs.

The department funds and supports a range of programs and services designed to provide prevention and early intervention supports to children and families.

In 2014–2015 these included:

PROGRAM	$ (MILLIONS)
Family Support for Children with Disabilities (FSCD)	142.7
Early Intervention Services for Children and Youth. For example: Parent Link Centres ($28.5M) Home Visitation ($10M) Triple P Parenting Programs ($1M) Early Intervention Programs for First Nations ($1.7M)	95.5
Family and Community Support Services (FCSS)	76.0
Total	**314.2**

[11] Aboriginal Children in Care: Report to Canada's Premiers, July 2015, page 23.
[12] Aboriginal Children in Care: Report to Canada's Premiers, July 2015, page 23.
[13] Prevention and Early Intervention Framework, Alberta Human Services, August 2012.
[14] Protective factors are conditions in families and communities that increase the health and well-being of children and families—Prevention and Early Intervention Framework for Children, Youth and Families, Alberta Government, August 2012, page 4.

Our review did not specifically include the following programs: Early Childhood Development Programs, Fetal Alcohol Spectrum Disorder Awareness and Prevention, Head Start Programs, Youth Mentoring Programs and Prevention of Family Violence Programs.

Funding on reserve is the responsibility of the federal government, which provides funding and delivers some programs to First Nations. However, the availability of prevention and early intervention programs on reserve is very limited.

RECOMMENDATION 1: ENHANCE EARLY SUPPORT SERVICES

We recommend that the Department of Human Services:

- enhance its processes so that they include the needs of Indigenous children and families in the design and delivery of its early support services
- report to the public regularly on the effectiveness of early support services

CRITERIA: THE STANDARDS FOR OUR AUDIT

The department should prioritize prevention and early intervention services where appropriate. Specifically, it should have:

- processes to assess the needs of Indigenous children and families for early intervention and prevention services
- processes to ensure that service delivery by service providers aligns with identified needs, matching services with demand
- systems to monitor and report on the planned results of its early intervention and prevention services

OUR AUDIT FINDINGS

KEY FINDINGS

We found a lack of clear, coordinated processes regarding the provision, access, delivery and funding of early support services for Indigenous children and families. The department:

- does not have a system to identify needs for early supports or to align services with needs
- has limited public reporting on the results of its early support services
- has identified that Indigenous families underutilize its Family Support for Children with Disabilities program and has begun work on processes to increase awareness of the program by First Nations
- has funded some early supports on reserve for many years but has not assessed if the funding meets the level of need

Identifying needs for early supports

The department uses a variety of sources to obtain information about the needs of children and families for programs and services, both Indigenous and non-Indigenous. These include environmental scans, Canada and Alberta Incidence studies, work on National Outcome Measures and child intervention data. This research provides extensive information on the overall environment, but is not specific about who the programs and services are available and accessible to, and whether programming meets current requirements.

The department has also been involved with the departments of Education and Health to establish a project based on the Early Development Instrument (EDI), a tool to assess children's preparedness for school at the community level. To some extent this work has been helpful in developing an overall understanding of the needs of Alberta's children. For example, Human Services has used this information as one criterion to assess requests for new Parent Link Centres. EDI information is less helpful in understanding the needs specific to Indigenous children, however, because the information is

collected through provincial elementary schools so does not include data from schools on Alberta's 48 First Nations.

The department gathers information from a variety of sources, but it does not have a process to compile and analyze the data to assess needs for early intervention programs and services. It does not receive this information from its regional offices to compile a provincial view of current service needs or to assess how well needs are met by current programs.

Aligning funding with needs

Because the department does not have a process to document its needs assessment for prevention and early intervention services, we were unable to test whether funding was aligned with identified needs.

Of the programs we examined, Parent Link Centres, home visitation programs and Triple P Positive Parenting programs are funded by the department and administered by regional offices. Indigenous service providers deliver these programs in some cases, including on Alberta's eight Métis settlements. For example, there are five Indigenous Parent Link Centres designed to meet the needs of First Nations, Métis and Inuit families. These programs are not available on First Nations.

Family and Community Support Services is funded on a cost-shared basis: 80 per cent by the province and 20 per cent by municipalities. Programs are administered by municipalities and designed so that each community can meet the needs of its residents. Program roles, responsibilities and respective accountabilities are outlined in legislation.[15] The legislation includes provision for the minister to enter into an agreement with the Government of Canada to establish services on reserve at the request of the Band Council.[16] However, there are no FCSS programs operating on First Nations reserves. Métis settlements do offer FCSS programming.

The Family Support for Children with Disabilities program is available both on First Nations reserves and off. Use of the program by Indigenous families has been limited. The department has identified potential barriers and is working on processes to increase awareness of the program by First Nations.

Reporting on results for early support services

The department has identified short-, medium- and long-term planned results in its Prevention and Early Intervention Framework. However, it has not publicly reported against these planned results. There is limited reporting of results at the provincial level for prevention and early intervention programs. Reporting is particularly limited in terms of how well services meet the needs of Indigenous children, families and communities.

For individual programs such as the home visitation program, the department receives data on usage that it compiles into annual activity reports, but these do not speak to the usefulness or effectiveness of the services provided. The department uses an established survey tool to evaluate its Parent Link Centre programs. PLC users complete surveys that measure changes in parenting skills and knowledge and parental satisfaction with the program. The department also performed an evaluation at the 10-year anniversary of the first PLCs.

---

[15] *Family and Community Support Services Act*, RSA 2000, Chapter F-3, current as of January 1, 2002, from http://www.qp.alberta.ca/documents/Acts/F03.pdf, accessed October 12, 2015.

[16] *Family and Community Support Services Act*, RSA 2000, Chapter F-3, current as of January 1, 2002, S 3(4), from http://www.qp.alberta.ca/documents/Acts/F03.pdf, accessed October 12, 2015.

The department has developed results reporting for its Family and Community Support Services programs. Municipalities receiving FCSS funding are asked to report on one of five possible planned results. The department has compiled the results for 2013 and made them available publicly.

Information the department has received for programs such as home visitation, PLCs and FCSS does not assess or include reporting on the effectiveness of the programs in meeting the needs of Indigenous children and families. The programs are universally available, and the province relies on community-based program delivery to meet the needs of Indigenous families as needed. The department has no means to oversee whether this happens or whether the programs are working.

Funding for early intervention programs on First Nations

Although funding on First Nations is a federal responsibility, the department has also funded prevention and early intervention services to First Nations on reserve for close to 20 years. The amount is limited; a total of $1.7 million is allocated to 18 First Nations or First Nations agencies. Funds are provided through annual contracts and are used for child-focused programs such as counselling and after-school and hot-lunch programs. The department receives annual reporting on the use of funds but has not assessed if overall program objectives are met or if available funding is sufficient and aligned to the needs of First Nations for early intervention programs and services.

IMPLICATIONS AND RISKS IF RECOMMENDATION NOT IMPLEMENTED

Early supports are valuable in keeping children safely with their families and communities and not in need of intervention services. Without this programming, this opportunity is lost. The consequences for Indigenous children and families can be significant.

Systems to provide child-centred services to Indigenous children

BACKGROUND

The department's systems to provide child intervention services are large, complex and decentralized.

However, the department administers one set of policies and standards to govern child intervention services in Alberta. Its systems are designed to safeguard and enhance the well-being of children in need of its services. Each child receiving services should have the same opportunity to benefit from the services they receive.

At the heart of the department's responsibility is the principle of delivering services that are child-centred; that is, the needs of the children are the primary focus of the design and delivery of child intervention services.

To determine whether the department's systems to provide child intervention services to Indigenous children support a child-centred approach, we examined three components—the department's systems to:

- monitor care against standards
- analyze and report on progress toward planned results
- support First Nations children living on reserve

Systems to monitor care against standards

We focused on determining if the department had systems to ensure regional offices and DFNAs had a care plan for each child receiving child intervention services, and to ensure regional offices and DFNAs followed up on those plans. Care plans are central to ensuring the needs of each child are met—and are therefore evidence of a child-centred system.

The department monitors care plans through its provincial standards monitoring process. Monitoring provides the department with the opportunity to understand results for children across the province and to determine whether their care meets standards set by the department. The monitoring process involves a detailed review of several thousand case files each year, comparing service with the department's six safety standards for its child intervention practice:

- emergency response and safety
- initial client contact
- planning for permanency
- caseworker contact
- cultural connectedness for Indigenous children
- placement

Reviews are conducted at all regional offices and DFNAs in the province. Regional office staff perform their own reviews, while department staff perform reviews at DFNAs. When performing reviews, the department tracks whether children are Indigenous.

We assessed data from 2012 to 2015 and performed detailed testing on the three standards most closely associated with care plans for Indigenous children:

- planning for permanency
- caseworker contact
- cultural connectedness for Indigenous children

Systems to analyze performance and report on results

Complying with minimum standards is important, but the department also reports on its progress in meeting planned results to know whether its programs and services are meeting the needs of children in the intervention system. It has identified five planned results for children receiving its services, based on various points along the continuum of care it provides:

- vulnerable children have the support they need to live successfully in their communities
- children in temporary care are quickly reunited with their families
- children in permanent care are quickly placed in permanent homes
- youth make successful transitions to adulthood
- Indigenous children live in culturally appropriate homes

The department uses a case management information system to track and manage the services it provides. It uses reporting from the system to understand and report against the results of cases managed at regional offices and DFNAs.

The department also includes its child and family services results as part of its performance reporting in its annual report. It reports:

- the percentage of children and youth who received child intervention services (family enhancement or protective services) and did not require protective services within 12 months of file closure
- the percentage of Aboriginal children in foster care or kinship care who are placed with Aboriginal families

We examined the department's internal and external reporting on its performance. We looked specifically at how and where the department identifies and analyzes the results experienced by Indigenous children as part of its results analysis process.

Systems to support First Nations children

First Nations children experience different service delivery depending on where they live. They may receive services through provincial delivery systems, or from a DFNA if they live on a reserve served by a First Nation agency. Each has unique challenges.

DFNAs deliver services guided by the terms set out in agreements between the province, member First Nations and sometimes the Government of Canada. The agreements establish complex relationships and are subject to some variation in practice and service delivery; however, all include provisions that they will meet provincial legislation and standards.

Regional offices deliver services to First Nations children and families through provincial delivery systems. Legislation indicates that Aboriginal traditions and culture should be considered and that a band's representative should be consulted and involved in the care of its members' children.[17] Further, legislation states the importance of preserving the cultural identity of a child through a cultural connection plan.

RECOMMENDATION 2: ENSURE A CHILD-CENTRED APPROACH

We recommend that the Department of Human Services improve its systems to:

- ensure the care plan for each Indigenous child requiring intervention services is adhered to and meets the standards of care the department sets for all children in Alberta
- analyze the results of services to Indigenous children and report to the public regularly on its progress in achieving planned results

CRITERIA: THE STANDARDS FOR OUR AUDIT

The department should have adequate systems to:

- ensure care plans for children receiving child intervention services exist for each child and are followed by regional offices and DFNAs
- report on and evaluate the results of child intervention services it provides

OUR AUDIT FINDINGS

KEY FINDINGS

- Compliance results for Indigenous children receiving services are less favourable than for non-Indigenous children. For example, Indigenous children in Alberta receiving services from regional offices experience less-frequent caseworker contact and less-frequent review of their care plans than non-Indigenous children.
- Results analysis and reporting specific to Indigenous children receiving services is limited.
- Complex governance and operating structures have hindered DFNAs' ability to provide services that are appropriate to need.

Deficiencies in file review processes

The department does not have a process to follow up on instances where it has identified service does not meet provincial standards. Upon completion of file reviews, results are sent to case managers and supervisors. However, the department does not obtain or maintain sufficient information to ensure that

[17] *Child, Youth and Family Enhancement Act*, RSA 2000, Chapter C-12, S2(p), S107, current as of July 23, 2014.

caseworkers correct deficiencies in case files. The department relies on regional offices and DFNAs to make necessary corrections.

The department lacks strong follow-up processes and clear accountability for results. It has accepted non-compliance in casework, and needed improvements have not happened. We examined three years of file review results and found that regional offices and DFNAs do not consistently comply with provincial standards and there has been no significant improvement over that period. For two particular key standards—making a permanent care plan and caseworker contact—results are actually worse.

In 2014–2015 the overall provincial compliance rate for the planning for permanency standard was 65 per cent. The compliance rate for the caseworker contact standard was 16 per cent. This means that out of the approximately 10,000 children receiving services from the department, more than 8,000 did not receive frequent enough contact with their caseworker to meet the minimum standards.

Regular and ongoing contact with a child receiving services is so important that it is one of the six minimum standards of care. The standards require that evidence of contact be documented. Evidence is how the department knows the contact took place.

In the review of a particular two-year-old child, the department identified a number of deficiencies in the file, including:

- five or more monthly contacts were missed
- the longest gap between face-to-face contact was more than seven months
- the child's care plan had not been reviewed every three months

In this case, and others where contact is not evidenced, the department is unable to distinguish whether the caseworker did not make the necessary contact with the child, or whether they made the contact but did not document it in the file. The department's monitoring processes record either circumstance as no contact.

Indigenous children experience more non-compliance

The data we analyzed showed that Indigenous children throughout the province receive care that is consistently less likely to meet provincial standards than non-Indigenous children.

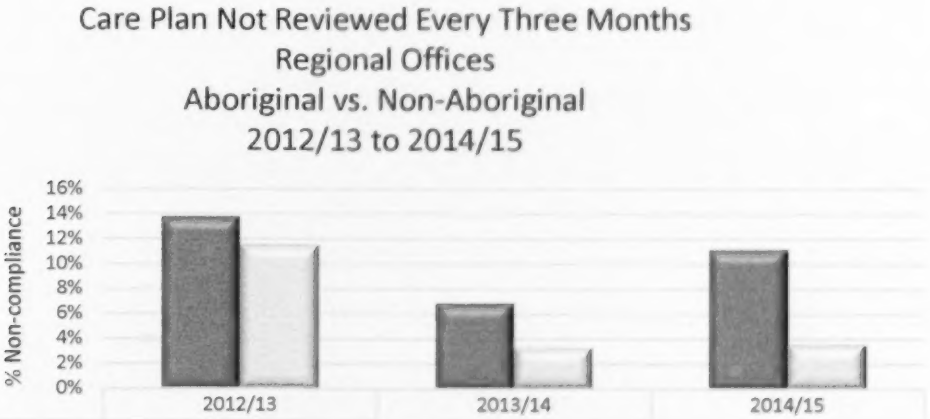
Compliance results for regional offices

The majority of First Nations, Métis and other Indigenous children receiving child and family services receive those services from one of the department's regional offices. Children receiving services from regional offices have access to specialists, contracted support workers and other provincial services to help ensure they receive the care they need.

However, in assessing the department's file review results, we found that in regional offices, Indigenous children were, on average:

- more than twice as likely not to have had their permanency plan followed up every three months (see Exhibit 5 on page 19)
- nearly one-and-a-half times as likely not to have face-to-face contact with their caseworker every three months (see Exhibit 6 on page 20)
- more than one-and-a-half times as likely to have gaps of seven months or more between face-to-face contact with their caseworker (see Exhibit 7 on page 20)

In its reporting of the results of compliance reviews, the department does not report separately on the care received by Indigenous children. In the absence of this reporting, we used the department's data, isolated the results for Indigenous children and compared those results to non-Indigenous children receiving services from regional offices.[18] We have presented three years of data in the following charts to illustrate the trends over that time period (see Exhibits 5, 6 and 7 on pages 19–20).[19]



	2012/13	2013/14	2014/15
Aboriginal Children	13.77%	6.86%	11.15%
Non-Aboriginal Children	11.52%	3.32%	3.59%

Exhibit 5—Non-compliance on care plan reviews, regional offices[20]

[18] The department uses the term "Aboriginal" to refer to First Nations, Métis and Inuit children receiving services. We have used the same terminology to present information in the following charts, as we have used the department's data for this presentation.

[19] This non-compliance information is derived from the department's Provincial Standards Monitoring system data for the three years ended March 31, 2015. A data extract from this system was provided to us by the department and included information for those children receiving services. The extract included a specific identifier for children receiving services as Aboriginal or non-Aboriginal. We summarized those identified as Aboriginal and those not identified as Aboriginal to calculate the percentages included in the following charts.

[20] Calculated as the count of files for children and youth who did not have their care plan reviewed every three months divided by the total number of files reviewed for each year.

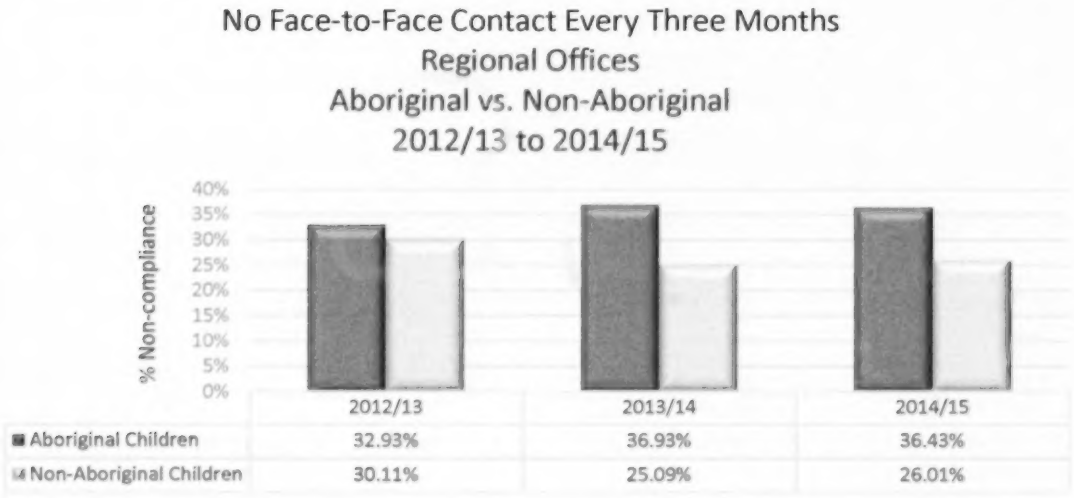


Exhibit 6—Non-compliance on face-to-face contact, regional offices[21]

Exhibit 7—More than seven months between face-to-face contact, regional offices[22]

The department had not performed an analysis to compare compliance results for Indigenous and non-Indigenous children. It was unaware of the differences Indigenous children experience.

[21] Calculated as the count of files for children and youth who did not receive face-to-face contact every three months divided by the total number of files reviewed for each year.

[22] Calculated as the count of files for children and youth who had gaps in face-to-face contact greater than seven months divided by the total number of files reviewed for each year.

Compliance results for DFNAs

We found that children served by DFNAs experience care that does not meet standards at rates that are, on average, double those of children served by regional offices.

The department's field liaison group supports DFNAs in meeting provincial standards. However, the group's capacity is constantly stretched. It spends much of its time filling front-line staff roles in DFNAs because many agencies experience persistent staff shortages. The field liaison group also trains delegated agency staff in changing practices and tools, and deals with other matters as they occur. As a result the group often works more in crisis-management than building capacity for improved service delivery.

Compliance reporting is insufficient and not used

The department's internal reporting of compliance results is primarily quantitative and lacks sufficient analysis of results. We examined reporting for individual regions and DFNAs, and at the province-wide level. We found the reporting provides standard descriptions of context around the standard and the compliance rates on a per cent basis. However, we found no substantive analysis of results and no strategies for improvement in results reporting.

Compliance results analysis and reporting were insufficient to identify the worse results experienced by Indigenous children. Reporting considers Indigenous children separately only in the standard for cultural connectedness. Even then the reporting for the standard does not directly identify whether or not a child was appropriately culturally connected. Cultural connection did not meet standards for one-quarter of Indigenous children in the three years we analyzed. The department does not analyze or report on differences for Indigenous children in results for the other four practice standards.

Documentation of senior management's use of compliance monitoring results is limited. We reviewed meeting minutes, talked to staff at all levels and reviewed three years of compliance results. It is not evident how results have been used to make needed improvements in practice.

For example, reported compliance rates for caseworker contact are below 20 per cent year-on-year, and there has been no immediate plan for improvement. Leadership must drive needed change—the level of detail and qualitative analysis possible through provincial standards monitoring can help guide this change.

Analyzing performance and reporting results for Indigenous children

Despite the overrepresentation of Indigenous children receiving services and in care, the department's analysis system is not focused on understanding why Indigenous children experience different results.

Continued overrepresentation of Indigenous children

The department has made significant changes to its practice in recent years. The department's new practice focuses on supporting children in their homes and communities when possible, and taking them into care when there is an immediate safety concern in accordance with statutory requirements.

The department reports internally and publicly on the numbers and proportions of Indigenous children in care and receiving services, caseloads and other information regarding the number of children receiving services. Despite practice changes, Indigenous children—particularly First Nations children—continue to receive services in their home less often than non-Indigenous children (see Exhibit 8 on following page).

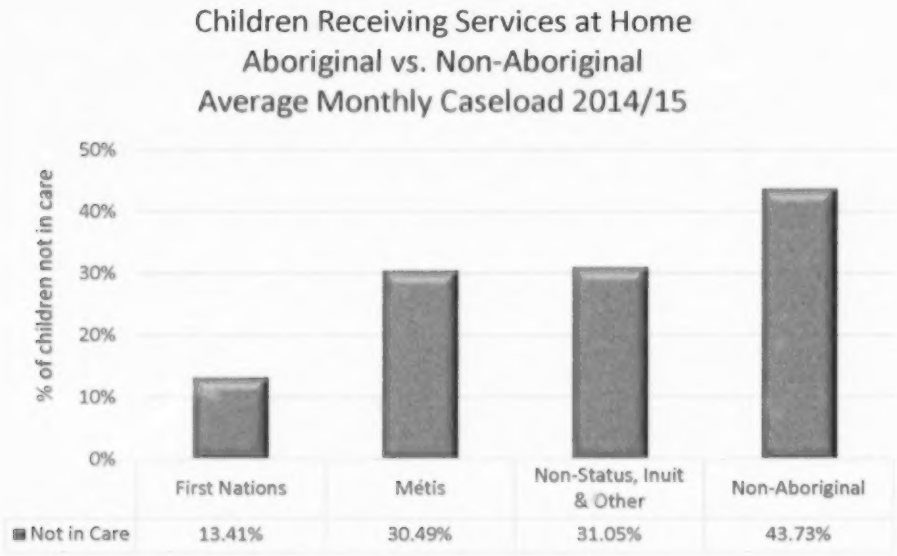


Exhibit 8—Not-in-care caseload as a percentage of total, Indigenous children vs. non-Indigenous children[23]
(Note: "Not in care" means a child is receiving services while remaining in their home)

The department does not have a goal, target or specific strategy to safely reduce overrepresentation or correct the inequity in results experienced by Indigenous children.

Internal results reporting needs improvement

The department has developed measures for four of the five planned results it uses to measure its child intervention practice. Reporting against these planned results should allow regional offices, DFNAs and department staff to understand how well its practice is working. However, we found the following parts of the system were not in place:

- concrete, defined short- and medium-term goals to guide progress toward long-term planned results
- performance targets or indicators for each measure and a means to update them
- regular reporting of measures against all five desired results with analysis of the results and assessment of required changes

Limited reporting and analysis of results for Indigenous children

The department prepares only limited analysis and reporting of results for the Indigenous children receiving services. We found that in some monthly reporting, specific operational statistics look at Indigenous results separately from non-Indigenous results. We also examined several custom, one-time reports that focused on Indigenous children.

During our audit we requested more detailed reporting of the department's five planned results to understand how First Nations, Métis, Inuit, non-status First Nations and other Indigenous children experience the system. The department does not regularly examine the results and experiences of Indigenous children at this level of detail.

[23] "Potential to be registered" refers to First Nations children who have not yet been registered with Indigenous and Northern Affairs Canada as status First Nations but may be eligible to be registered.

We assessed data used by the department to measure results against four of the five child intervention practice framework outcomes. We looked specifically at results for Indigenous children.

In regional offices, we identified that Indigenous children experience results that are consistently less favourable than for non-Indigenous children. A comparison of results for Indigenous children between regional offices and DFNAs indicated that DFNAs are achieving better results for Indigenous children on some measures than regional offices. Refer to Appendix B for a detailed summary of the results.

Department level reporting is insufficient and lacks relevance

We found that the department's performance measures of child and family services do not provide decision makers or Albertans the information they need to understand whether the services delivered to children and families are working well.

The department's annual report includes two performance measures for child and family services, including one specific to Indigenous children. The report provides context for initiatives and key activities undertaken in the year but does not explain how much they cost and whether they worked.

The current measures lack relevance to decision makers and Albertans. We reviewed minutes of executive management meetings between 2012 and 2015 and found no documented discussion of the measures or their results. Executive management discussed other relevant information such as fatalities and serious injuries for children under the department's care.

The department is currently reviewing the measures.

Ensuring First Nations children receive services appropriate to need

DFNAs experience a number of structural barriers that affect the service they provide to 1,500 children, including:

- inequities in the funding they receive from the federal government when compared to their provincial counterparts
- dated and rigid funding structures that implicitly encourage DFNAs to place children in care
- limited access to contracted support services, social work specialists, mental health services and trained counsellors to support children in their homes
- problems with high staff turnover
- unreliable network connectivity and limited information technology support in many cases

Neither DFNAs, the federal government nor the department can solve these problems unilaterally. However, the department is responsible for designing the standards and policy used to deliver services in Alberta, including by DFNAs. It also develops practice tools to support service delivery.

In recent years the department has made substantial changes to its practice. As it introduced these changes, the department has often failed to accurately judge the resource capacity and/or desire of DFNAs to make the changes.

In response, the department's field liaison group has nearly tripled in size in the past five years. It works with DFNAs to bridge disparities and build capacity, but overcoming the structural barriers is a continual challenge.

IMPLICATIONS AND RISKS IF RECOMMENDATION NOT IMPLEMENTED

The department is responsible for safeguarding and enhancing the well-being of all children in the province. If the department fails to develop systems to ensure Indigenous children receive the care they require, Indigenous children will continue to be disadvantaged.

Systems to promote intercultural understanding

BACKGROUND

First Nations, Métis and Inuit peoples living in Alberta each have their own approaches to caring for their children. Indigenous approaches to a child's well-being are ingrained in their cultures, history and ways of being. Each people has its own unique customs and approaches, but generally children form the centre of Indigenous concepts of family and community.

Positive, effective and lasting relationships are key to making meaningful improvements in the way the department serves Indigenous children and families. The foundation of these relationships is reconciliation, respect and deep understanding of Indigenous world views and ways of being.

The Truth and Reconciliation Commission of Canada underlined the importance of developing understanding, respect and reconciliation to support positive relationships through staff training and intercultural competency.[24] Call to Action 57 reads:

> *We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.*

The department acts in a number of areas to facilitate work with Indigenous peoples in Alberta and notify communities of changes it is making. We focused our analysis on the department's systems to develop and promote understanding of Indigenous world views and work with Indigenous partners to promote Indigenous involvement in decisions that affect their children and families.

In response to recommendations from a 2010 review of its child intervention system,[25] the department created the Indigenous and Community Connections division.[26] The division's broad mandate includes supporting child and family services to achieve improved outcomes for Indigenous people in Alberta through cultural understanding, relation building and strategic leadership.

The Truth and Reconciliation Commission of Canada highlighted the importance of rigorous and universal training to promote and support robust intercultural understanding to guide relationships and reconciliation.

RECOMMENDATION 3: STRENGTHEN INTERCULTURAL UNDERSTANDING

We recommend that the Department of Human Services continue to enhance its staff training of the history and culture of Indigenous peoples, as well as its training of intercultural understanding. The department should seek the expertise of Indigenous leaders and communities when developing the training.

---

[24] Truth and Reconciliation Commission of Canada: Calls to Action, 2015.

[25] Closing the Gap Between Vision and Reality: Strengthening Accountability, Adaptability and Continuous Improvement in Alberta's Child Intervention System, Final Report of the Alberta Child Intervention Review Panel, June 30, 2010.

[26] When the division was originally created, it was called the Aboriginal Engagement and Strategy division. It was renamed the Indigenous and Community Connections division in April 2016.

CRITERIA: THE STANDARDS FOR OUR AUDIT

The department should have systems to ensure child and family services workers receive adequate training on First Nations, Métis and Inuit history and cultural practices.

OUR AUDIT FINDINGS

KEY FINDINGS

The department has not:

- provided guidance to staff to clarify its expectations for providing "culturally appropriate" services
- provided sufficient training in intercultural understanding; it identified the need for more comprehensive training in 2010, but progress since then has been minimal
- widely adopted or supported identified best practices within regions and DFNAs

Guidance to define "culturally appropriate"

The department does not have a working definition or consistent explanation of its expectations in the context of providing "culturally appropriate" services to Indigenous clients. During our audit we reviewed the department's strategies, plans, standards, policy and presentations. We found the term "culturally appropriate" to be pervasive throughout the documents when referring to Indigenous clients. When documents expanded on the concept, the discussions were often vague and inconsistent.

The prevalence of the term suggests that the department recognizes the need for awareness about cultural differences. Indigenous communities have their own protocols and practices, so there can be significant differences among groups. The department has not provided guidance or outlined a process to clarify how it expects the uniqueness of Indigenous cultures, heritage and traditions to be respected and considered.

Without an agreed-upon working definition and guidelines for practical use as a starting point, the department cannot expect consistent application of the concept. Nor can it judge whether appropriate consultation has occurred or if it is serving Indigenous children and families in a culturally appropriate way.

Current training is not sufficient

The mandate of the Indigenous and Community Connections division includes the development of internal training to build Indigenous cultural understanding throughout the department.

In the five years since the division was created, it has developed tools and materials designed to assist in building good relations with Alberta's Indigenous communities. However, the child and family services training materials have received minimal attention. As of early 2016, the division had begun work on developing an expanded training program in Indigenous cultural understanding. The training remains in a planning stage and the timeline for its completion and adoption is unknown.

Currently, the only specific Indigenous-focused training the department requires is part of its delegation training for new social workers. The training is provided to new front-line workers and supervisors. There is no requirement to update or retake the training regularly.

The Indigenous component of the training contains aspects of Indigenous history, including residential schools and the Sixties Scoop, as well as Indigenous social work and strategies to work with individuals.

The Indigenous and Community Connections division, the department's internal group of experts, has not reviewed the training materials. Further, the department has not partnered with Indigenous groups, DFNAs or other external experts to specifically assess training needs or identify best practices.

Through interviews with individuals in the department and front-line staff at regional offices we found that the current required training is not sufficient.

Some regional offices have undertaken their own initiatives to improve the intercultural understanding of their staff. One region contracted a neighbouring delegated agency to design, develop and deliver an in-depth training program for its staff. The training promotes cross-cultural understanding and respect for Indigenous children, families and others.

Indigenous staff in and outside of the department reported instances of paternalistic attitudes and a lack of understanding of the structural challenges that affect DFNAs in their dealings with regional office staff. The lack of understanding was not universal, but instances occurred across the province.

The slow progress in this area is at least partly due to a lack of coordination between internal divisions within the department. The Child and Family Services division also has expertise in relations with Indigenous peoples through its field liaison group. There is a lack of clarity around the roles and responsibilities between that division and Indigenous and Community Connections to strengthen Indigenous communities and improve intercultural understanding to better support child and family services.

Intercultural best practices

We noted several effective practices in regional offices and DFNAs to build cultural understanding and respect by integrating workers within an Indigenous context.

The South Region ran a trial program to temporarily exchange staff with a neighbouring delegated agency. Staff in the region and the delegated agency benefited from cross-cultural learning, as well as by developing relationships and understanding of their different operating environments.

Some DFNAs experience persistent staff turnover. The department's field liaison group provides support to temporarily fill shortages. Many members of the department's field liaison group began their careers in regional offices as front-line staff. They report that it was not until they began working with DFNAs that they started to understand the challenges experienced by these agencies.

The department has an opportunity to share best practices and promote improved intercultural understanding through experience-based learning. Temporary placements could also free up capacity within field services to focus on training and sharing expertise.

IMPLICATIONS AND RISKS IF RECOMMENDATION NOT IMPLEMENTED

Understanding Indigenous world views is a vital first step in developing respectful, productive relationships with Indigenous communities. Relationships and the decisions they support impact every individual in the organization and the children they serve, every day.

Engagement with other jurisdictions

The findings and recommendations earlier in this report concern matters that the department can act on directly within its mandate. To conclude this report, we turn to several observations on the broader picture. To understand more fully why progress on the delivery of child and family services to First Nations children is difficult, it is necessary to understand the complex interactions between the Government of Alberta, the federal government and First Nations. We highlight four main observations:

Relationships defined through negotiated agreements—The structure established in agreements between the various jurisdictions makes the provision of services complicated. Despite the shared goal of improved results for children, each partner has unique roles and responsibilities, and priorities may not always align.

Funding implications—Service needs are specified in one set of agreements, while funding is specified in others. These two types of agreement are not sufficiently aligned for funding to meet the requirements of service needs. Further, the complexities of updating agreements make it difficult to update funding to meet needs.

Trilateral process and action plan—As part of the Child and Family Services Trilateral Engagement Process, the partners have developed a five-year action plan to safely reduce the high number of First Nations children in care. The department will need to identify how it will integrate this work into its decisions on policy and practice.

Jordan's Principle—Alberta supported Jordan's Principle in 2008. However, a lack of clarity on its scope has impeded the province's progress in adopting it.

Because these observations concern jurisdictions other than the Government of Alberta, it is beyond our mandate to make formal recommendations on them.

Relationships defined through negotiated agreements

First Nations have a unique relationship with Alberta and Canada. Interests may overlap, so the different jurisdictions must negotiate respective roles and responsibilities. With regard to child and family services, the results of these negotiations are embodied in the Administrative Reform Arrangement and the DFNA service agreements.

Administrative Reform Arrangement

The Governments of Canada and Alberta entered into an agreement[27] in 1991 to provide funding and administration for child and family services and other social services to First Nations peoples in Alberta. The agreement is based on the principles that:

- services should take into account Indigenous "culture, values, language and experiences"
- Canada and Alberta support the establishment, management and delivery of child and family services and other community-based social services by and for First Nations
- Canada will arrange for the delivery of services comparable to those provided by Alberta to other residents
- Alberta will directly deliver or enter into agreements with First Nations or First Nations agencies to deliver child and family services. Alberta agrees to consult with First Nations, their designate or their delegated agency in instances where a child who is a member of a band is apprehended.

[27] Arrangement for the Funding and Administration of Social Services, effective April 1, 1991.

Under this agreement the department bills Canada for child and family services it provides to First Nations communities on reserve that are not served by a DFNA. When the department provides services off-reserve to children and families residing in First Nations communities served by a DFNA, it bills the agency directly for these services. Refer to Appendix C for a more detailed explanation of the billing process.

The Administrative Reform Arrangement includes child intervention services and other social service programs, such as Family Support for Children with Disabilities. The agreement has never been amended and has not been reviewed since 2003, despite significant changes to legislation, programs and practices.

DFNA service agreements

Service delivery on reserves is guided by the terms set out in agreements between First Nations bands and the province, and in some cases the federal government. There are both bilateral and trilateral agreements. Each agreement is negotiated with the respective First Nations, so they are subject to service and practice variations.

However, each agreement includes commitments to meet legislation, policy and standards set by the department for all children in Alberta. The agreements also include commitments by the department to consult with DFNAs on the care of children of its member First Nations. This means when a child who is a member of a First Nation receives care from another regional office or delegated agency, the office must involve the delegated agency director in care decisions. This involvement is often facilitated through First Nations designates.

First Nations designates

Provincial legislation[28] and agreements between Alberta, First Nations and Canada acknowledge the role of First Nations designates in ensuring First Nations are involved in planning regarding their members' children. First Nations chiefs and councils appoint First Nations designates to support case planning for children who are in care away from their First Nations community. Designates have an understanding of the families, extended families and communities involved and provide the cultural connections with Elders and other resources on reserve.

The designate's role and funding have been the subject of ongoing discussion, in part because First Nations, the province and federal counterparts interpret the provisions for financial responsibility within their agreements differently. In recent years, the provincial government has provided grants to treaty areas to assist with developing business cases and continued support for designates, but there is no permanent financial support in place.

Funding implications

The Administrative Reform Arrangement and DFNA service agreements establish governance and operational structures that make the provision of services to First Nations complicated. Federal, provincial and First Nations priorities may not always align, despite the shared goal of improved results for children. This misalignment makes funding for child and family services challenging.

The province funds services for Indigenous children and families living off-reserve. The federal government funds child intervention services on reserve through individual agreements with DFNAs, communities or the province. First Nations in Alberta are funded under a federal model called the

[28] *Child, Family and Youth Enhancement Act*, RSA 2000, Chapter C-12, S107(1), current as of July 23, 2014.

Enhanced Prevention Focused Approach, which includes funding for early interventions and prevention as well as agency operating costs and the costs of maintaining children in care.

In January 2016, after years of disagreement between the federal government and First Nations over the funding for child and family services on reserve, the Canadian Human Rights Tribunal concluded that "First Nations children and families living on reserve ... are denied equal child and family services and/or differentiated adversely in the provision of child and family services."[29] Discriminatory practices were found to be due to "[Aboriginal Affairs and Northern Development Canada]'s design, management and control of the First Nations Child and Family Services (FNCFS) Program, along with its corresponding funding formulas and other related provincial/territorial agreements."[30]

The tribunal panel issued orders to the federal government to cease its discriminatory practices and reform its FNCFS Program to reflect the decision's findings, and also to immediately implement the full meaning and scope of Jordan's Principle. Funding changes that may result from the ruling are currently unknown, but First Nations and DFNAs in Alberta have reason to expect positive changes to come.

Prevention and early intervention funding

Although funding on First Nations is a federal responsibility, the department has also funded prevention and early intervention services to First Nations on reserve for close to 20 years, creating a lack of clarity around established funding roles. We discussed prevention and early intervention programs on page 15.

Trilateral process and action plan

The department has participated in the Child and Family Services Trilateral Engagement Process since 2010. The group includes representatives from Treaty 6, 7 and 8 organizations, Indigenous Relations, and the department's Indigenous and Community Connections division and Child and Family Services division. The federal government joined in 2013–2014, represented by Indigenous and Northern Affairs Canada and Health Canada.

The group focuses on safely reducing the high number of First Nations children in care and informing the development and implementation of an action plan. In 2015 the group developed a five-year action plan identifying key short- and long-term priorities.

The department will need to identify how it will integrate decisions and work from the action plan into its decisions on policy and practice.

Integrating Indigenous partners into practice

The department balances the development of service delivery, monitoring and reporting for all children with the unique needs of Indigenous children, families and communities. These latter needs include the complex governance and operating structures described above.

Signs of Safety and First Nations practice standards represent opportunities for the department to work with its delegated agency partners to further develop positive, supportive relationships based on incorporating more Indigenous culture and practices into its child and family services processes.

---

[29] Canadian Human Rights Tribunal Decision, Citation: 2016 CHRT 2, January 2016, paragraph 456, page 160.
[30] Canadian Human Rights Tribunal Decision, Citation: 2016 CHRT 2, January 2016, paragraph 458, page 161.

Signs of Safety

Signs of Safety is a new approach to practice originally developed in Australia and piloted by two First Nations child services agencies. The tool helps front-line staff consider the skills, strengths and resources existing in a family when making child intervention decisions. The department adopted the Signs of Safety approach in 2013 and rolled it out across the province after more DFNAs and regional child and family services offices were using it. The approach has been instrumental in promoting positive change and has helped reduce the number of children in care.

The department has made adopting the Signs of Safety approach optional for DFNAs. For a variety of reasons, most DFNAs have only partially adopted the approach. There are specialized training requirements to implement the approach that pose challenges for some DFNAs because of resource limitations; other DFNAs have found it did not fit with their practice approaches.

First Nations practice standards

In 2003 the department provided support for the development of First Nations practice standards by working with DFNAs to form a joint steering committee. The committee was tasked with developing practice standards for First Nations communities that reflected a holistic, family- and community-centred approach incorporating First Nations culture and traditions while promoting safety and well-being. Progress was made until 2006, but the group was not successful in getting full agreement with the draft standards.

The department did not endorse the standards because there was a lack of consensus. Progress on the standards for the next several years was limited. DFNAs still varied their use of the standards—some have incorporated them into their agreements and into practice, some use portions of them and others do not use them at all.

Jordan's Principle—Putting the needs of children first

Jordan's Principle was established in the wake of a tragic situation in Manitoba, where Jordan River Anderson, a First Nations child, died before a jurisdictional dispute over payment for the services he needed was resolved. After spending his first two years of life in hospital, Jordan was medically able to be moved to a specialized foster home. But Canada and the Province of Manitoba could not agree on who should pay for the costs. Jordan died in hospital at the age of five, having never lived at home or in his community.

In 2007 Jordan's Principle received unanimous support in the House of Commons and has since been supported by all provinces in Canada. The principle means that when funding disputes occur involving the care of First Nations children, the level of government of first contact will pay for the required services and seek reimbursement from the appropriate level of government later.

Western premiers—including Alberta's—supported Jordan's Principle in 2008. In 2012 the Canadian Pediatric Society described Alberta's adoption as poor.[31] The report stated that Alberta had not adopted a child-first approach.

All levels of government have debated the interpretation and scope of Jordan's Principle. Recent court decisions, the Truth and Reconciliation Commission of Canada, and the January 2016 Canadian Human Rights Tribunal decision have called on governments to take a broad and inclusive interpretation of the principle.

---

[31] Are We Doing Enough?: A Status Report on Canadian Public Policy and Child and Youth Health, 2012 Edition, Canadian Paediatric Society, page 29.

When we examined the department's approach to Jordan's Principle cases, we found there was no plan or documented process. The department was unsure how many, if any, Jordan's Principle cases involving child and family services clients have occurred since 2008.

The reason progress on Jordan's Principle has been limited is that the government as a whole has not clarified its interpretation of the scope of Jordan's Principle. Before the department can make progress, the government will need to clarify its position.

Adopting and implementing Jordan's Principle would require the department to define a process and communicate it to front-line staff and others who may encounter potential Jordan's Principle cases.

APPENDIX A

TRUTH AND RECONCILIATION COMMISSION OF CANADA CALLS TO ACTION

Child welfare

In January 2016, the Truth and Reconciliation Commission of Canada made 94 Calls to Action as a result of its extensive review of the impacts of the Residential School System. The first five actions related to child welfare. We include them here as a reminder of the important work ahead for all levels of government across Canada.

1. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to reducing the number of Aboriginal children in care by:
   a. monitoring and assessing neglect investigations.
   b. providing adequate resources to enable Aboriginal communities and child welfare organizations to keep Aboriginal families together where it is safe to do so, and to keep children in culturally appropriate environments, regardless of where they reside.
   c. ensuring social workers and others who conduct child welfare investigations are properly educated and trained about the history and impacts of residential schools.
   d. ensuring that social workers and others who conduct child welfare investigations are properly educated and trained about the potential for Aboriginal communities and families to provide more appropriate solutions to family healing.
   e. requiring all child welfare decision makers consider the impact of the residential school experience on children and their caregivers.

2. We call upon the federal government, in collaboration with the provinces and territories, to prepare and publish annual reports on the number of Aboriginal children (First Nations, Inuit and Métis) who are in care, compared with non-Aboriginal children, as well as the reasons for apprehension, the total spending on preventive and care services by child welfare agencies, and the effectiveness of various interventions.

3. We call upon all levels of government to fully implement Jordan's Principle.

4. We call upon the federal government to enact Aboriginal child welfare legislation that establishes national standards for Aboriginal child apprehension and custody cases and includes principles that:
   a. affirm the right of Aboriginal governments to establish and maintain their own child welfare agencies.
   b. require all child welfare agencies and courts to take the residential school legacy into account in their decision making.
   c. establish, as an important priority, a requirement that placements of Aboriginal children into temporary or permanent care be culturally appropriate.

5. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate parenting programs for Aboriginal families.

APPENDIX B

CHILD INTERVENTION PRACTICE FRAMEWORK —REPORTING ON RESULTS

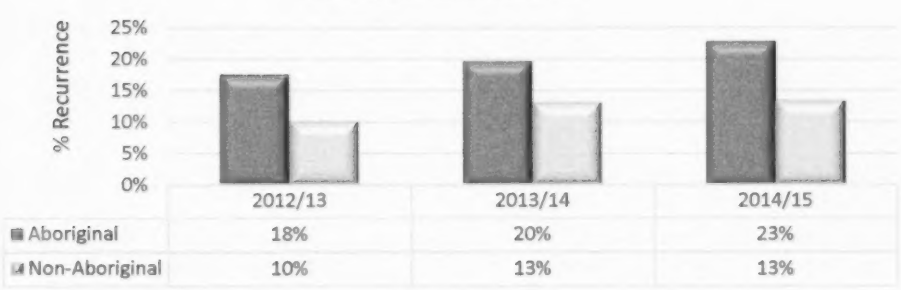
We used the department's data to isolate the results for Indigenous children receiving services. We have presented three years of data in the following charts to illustrate the trends over that time period.

The information is derived from the department's Intervention Services Information System data for the three years ended March 31, 2015. A data extract from this system was provided to us by the department and included primarily numeric information for those children receiving services. The extract included a specific identifier for children as Aboriginal or non-Aboriginal. The extract also included whether a child was the responsibility of a regional office or a DFNA.

CIPF Outcome 1—Vulnerable children live successfully in their community

Measure: "Recurrence"
Description of the measure: The proportion of children and youth with a new child intervention file who had a child intervention file closed in the previous 12 months.

Results at Regional Offices



This chart looks at how likely it is that a child who has been receiving intervention services will re-enter the system within 12 months. In regional offices, Aboriginal children are more than one-and-a-half times as likely to re-enter the system as non-Aboriginal children. Results have worsened over the last three years.

Results for Aboriginal children

Proportion of Children Re-entering the System
Within 12 Months
Aboriginal Children
Regional Offices vs. DFNAs
2012/13 to 2014/15

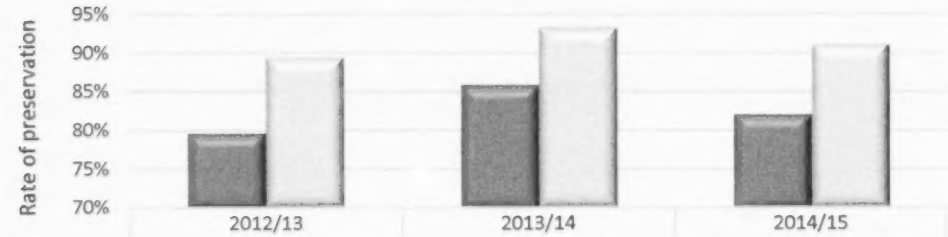
	2012/13	2013/14	2014/15
Regional Offices	18%	20%	23%
DFNAs	26%	21%	18%

DFNAs have improved their rate of recurrence over three years, whereas regional offices have worsened.

Measure: "Family preservation"
Description of the measure: The proportion of children and youth receiving child intervention services who remain with their family for the duration of their involvement.

Results at regional offices

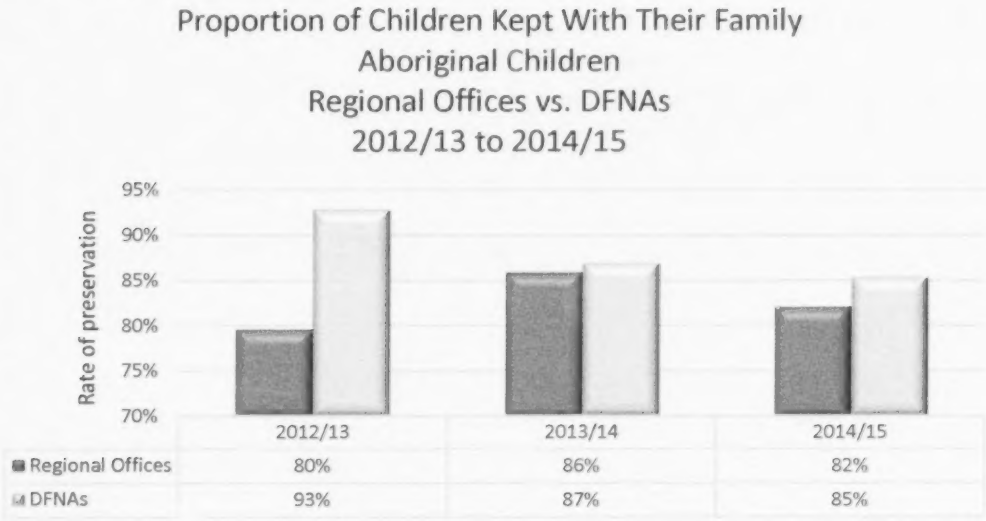
Proportion of Children Kept With Their Family
Regional Offices
Aboriginal vs. Non-Aboriginal
2012/13 to 2014/15



	2012/13	2013/14	2014/15
Aboriginal	80%	86%	82%
Non-Aboriginal	89%	93%	91%

This chart focuses on regional offices and how they perform for Aboriginal children versus non-Aboriginal children. Regional offices are more successful in making sure non-Aboriginal children remain with their families than they are of make sure Aboriginal children are.

Results for Aboriginal children



This chart focuses on Aboriginal children and how they are helped by regional offices versus DFNAs. DFNAs are more successful in making sure Aboriginal children are kept with their families than regional offices area.

CIPF Outcome 2—Children in temporary care are reunited with their families

Measure: "Family Reunification"
Description of the measure: The proportion of children and youth in temporary care who are reunited with their families and do not move into permanent care.

Results at regional offices

Proportion of Children Returning to Their Family
Regional Offices
Aboriginal vs. Non-Aboriginal
2012/13 to 2014/15

	2012/13	2013/14	2014/15
Aboriginal	63%	61%	59%
Non-Aboriginal	72%	73%	66%

This chart focuses on regional offices and how they perform for Aboriginal children versus non-Aboriginal children. Aboriginal children receiving services from regional offices are less likely to be reunited with their family and not brought into permanent care than non-Aboriginal children. Results have worsened over the last three years for Aboriginal and non-Aboriginal children.

Results for Aboriginal children

Proportion of Children Returned to Their Family
Aboriginal Children
Regional Offices vs. DFNAs
2012/13 to 2014/15

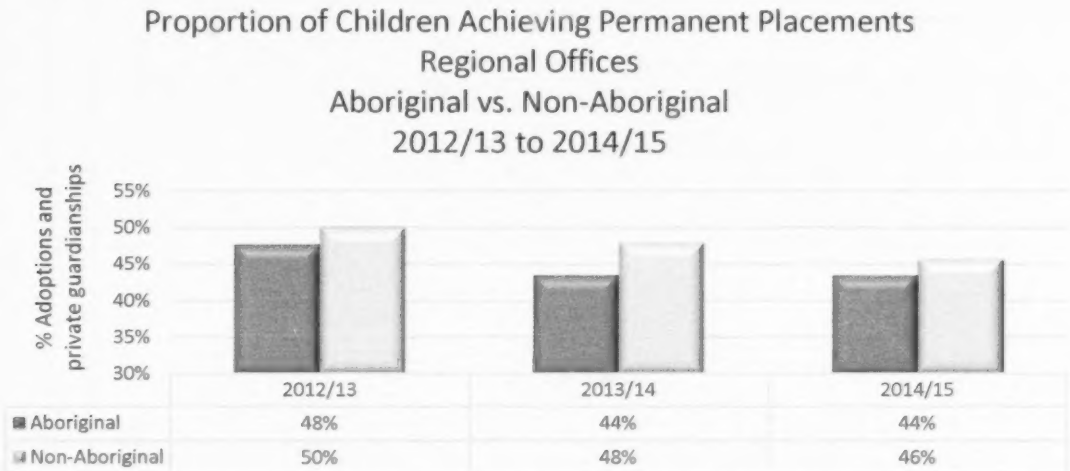
	2012/13	2013/14	2014/15
Regional Offices	63%	61%	59%
DFNAs	66%	66%	71%

This chart focuses on Aboriginal children and how they are helped by regional offices versus DFNAs. DFNAs are more successful in returning Aboriginal children to their family home than regional offices.

CIPF Outcome 3—Children in permanent care achieve permanent placements

Measure: "Adoption and Private Guardianship"
Description of the measure: The proportion of children in permanent care who find permanent homes through either private guardianship or adoption.

Results at regional offices



This chart focuses on regional offices and how they perform for Aboriginal children versus non-Aboriginal children. Aboriginal children are less likely to achieve permanency through private guardianship or adoption than non-Aboriginal children. Results have worsened over the last three years for both Aboriginal and non-Aboriginal children.

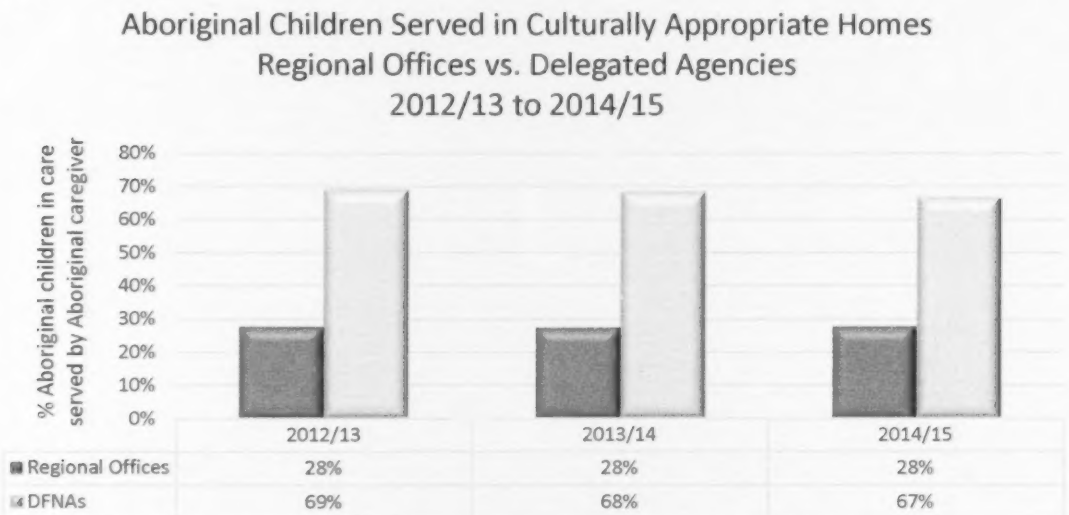
Results for Aboriginal children

This chart focuses on Aboriginal children and how they are helped by regional offices versus DFNAs.

CIPF Outcome 4—Aboriginal children are connected to their culture

Measure: "Aboriginal children live in culturally appropriate homes"
Description of the measure: The proportion of Aboriginal children in foster or kinship care who are placed with an Aboriginal caregiver.

Provincial results



This chart looks at the proportion of Aboriginal children in care who are in culturally appropriate homes. For children served by regional offices, the proportion is just over one-quarter. For children served by DFNAs, the proportion is much higher, nearly three-quarters.

APPENDIX C

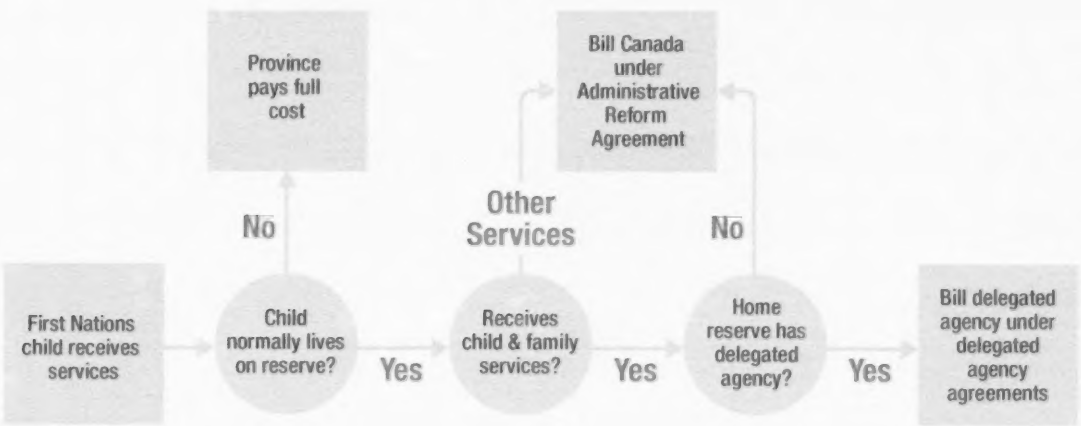
BILLING ARRANGEMENTS FOR SOCIAL SERVICES FOR FIRST NATIONS

The Government of Canada provides a number of social service programs on First Nations reserves in Alberta. Several of these programs have some similarities to early support programs offered by the province off-reserve.

Many First Nations families find it necessary to access social services, including early support and child and family services, delivered by the province off their reserve in urban and rural centres. The department entered into a complex billing arrangement with the federal government to recover the costs of services provided.

The Governments of Canada and Alberta entered into the Administrative Reform Arrangement in 1991. Under this agreement the department bills Canada for social services provided to First Nations people who normally live on reserve. For child and family services, the province bills either Canada or the delegated agency depending on whether the child's home reserve has a delegated agency.

Billing Arrangements for Social Services to First Nations Normally Living on Reserve



Office of the Auditor General of Alberta
8th Floor, 9925 109 Street NW
Edmonton, Alberta, Canada T5K 2J8

Phone: 780.427.4222
Fax: 780.422.9555
Email: info@oag.ab.ca
This report is available at
www.oag.ab.ca ISSN 1927-9604